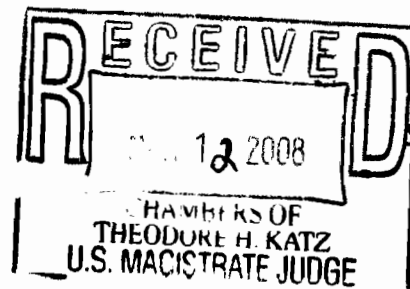


MEMO ENDORSED



STATE OF NEW YORK
OFFICE OF THE ATTORNEY GENERAL



ANDREW M. CUOMO
Attorney General

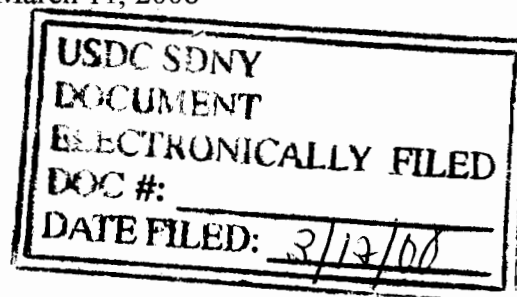
CRIMINAL DIVISION
Federal Habeas Corpus Section

Writer's Direct Telephone No.
(212) 416-8871

March 11, 2008

By Hand

Hon. Theodore H. Katz
United States Magistrate Judge
Southern District of New York
500 Pearl Street
New York, NY 10007



Re: Mark Collins v. Dale Artus
07-CV-9463 (BSJ)(THK)

Your Honor:

I am an Assistant Attorney General in the office of Andrew Cuomo, Attorney General of the State of New York, and I will be representing respondent in the above-referenced habeas corpus matter. I am writing to request an extension of time in which to respond to Mr. Collin's habeas petition.

On January 24, 2008, Your Honor issued an order requiring respondent to file a response to the petition by March 16, 2008. Upon receiving the order, my office requested the state court record (including the briefs on direct appeal, any documents pertaining to any collateral motions, and the transcript) from the the New York County District Attorney's office. On February 25, 2008, I received the requested documents, however, I need more time to sort through these documents and formulate my response. I am currently assigned to respond to five additional habeas petitions in the month of March and two in April. This is my first request for an extension in this matter.

As a result, I am requesting a sixty-day extension from the original due date, until May 13, 2008 to file my response.

Respectfully submitted,

Leilani Rodriguez
Assistant Attorney General

COPIES MAILED
TO COUNSEL OF RECORD ON 3/12/08

100 Broadway, New York, NY 10021 • Fax (212) 416-8010

CC: Mark Collins
03-A-0952
Clinton Correctional Facility
Route 374, Cook Street
PO Box 2001
Dannemora, New York 12929

*The response to the Petition shall be filed
by no later than May 13, 2008.
Any reply shall be filed by June 13, 2008.*

SO ORDERED

3/12/08

Theodore H. Katz

THEODORE H. KATZ

UNITED STATES MAGISTRATE JUDGE